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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER				
BLEVINS, JERRY M				
ART UNIT		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/593,139

**Applicant(s)**

SCHEMP, OTTO

**Examiner**

JERRY BLEVINS

**Art Unit**

2883

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 27-45 is/are pending in the application.
- 4a) Of the above claim(s) 45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27-36, 39, 40 and 42 is/are rejected.
- 7) ☒ Claim(s) 37, 38, 41, 43 and 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### **DETAILED ACTION**

##### ***Election/Restrictions***

Claim 45 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on November 19, 2008.

Applicant's election without traverse of Invention I in the reply filed on November 19, 2008 is acknowledged.

##### ***Response to Arguments***

Applicant's arguments filed July 2, 2008 have been fully considered but they are not persuasive.

Specifically, feature 120 of the Branch reference most certainly seems to provide ESD protection due to the teaching that it is comprised of strips of sheet metal connected to ground and due to the fact that feature 120 further comprises the same apparatus limitations set forth in the presently claimed invention, as set forth below. Furthermore, examiner is most certainly not relying solely on disclosure brought forth in the drawings, as column 8, lines 41-43 of Branch has already been brought forth on the record for the above teachings.

##### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 27-32, 34-36, 39, 40, and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,335,869 to Branch et al.

Regarding claim 27, Branch discloses an optical connector (Fig. 6-8) for establishing multimedia connections in a motor vehicle, comprising: a dielectric connector housing (20; column 8, line 26) forming a receptacle (32) for mating connection with a complementary connector, said receptacle being formed by sidewalls and a rear wall of the housing; said rear wall having openings in it (Figures 6-8), at least an optical connection element (128) including an optical fiber in said connector housing, arranged in the receptacle for mating connection with a complementary optical connection element of the complementary connector, at least an electro-optical component (54, 56) including electronic circuits (92) and being arranged on a rear side of the rear wall opposite said receptacle, and ESD protection means (120) wherein said ESD protection means comprises at least one discharge section (134, 136) projecting towards the receptacle and having a free end (Fig. 7) being exposed to the interior of the receptacle (Figs. 7, 8) to provide an ESD protection within the receptacle, (although Brown does not explicitly describe ESD protection, feature 120 also acts as ESD protection, because it is comprised of strips of sheet metal connected to ground, as disclosed in column 8, lines 41-43), and at least one electrically conductive discharge finger penetrating the rear wall through the opening and terminating in the discharge section, wherein the discharge section is arranged in the vicinity of the optical connection element, in such a way that the discharge finger forms a lightning arrester for protection of the optical connection element (Figure 7).

Regarding claim 28, Branch teaches an U-shaped shielding clamp that has at least one discharge section having a front edge, wherein said at least one discharge section of said ESD protection means also has a front edge, all said front edges running flush in a lateral plane that is set back with regard to front sides of said optical fiber section (Figure 7).

Regarding claim 29, Branch teaches that the ESD protection means comprises a plurality of discharge fingers with said discharge sections thereon (Figure 7).

Regarding claim 30, Branch teaches that the free ends of the discharge sections extend essentially parallel to the introduction direction of the complementary connector (Figure 7).

Regarding claim 31, Branch teaches that the receptacle includes a single cavity having, at a front side, an opening for introducing the complementary connector and, at said rear wall, a pair of optical connection elements (Figures 6-8).

Regarding claim 32, Branch teaches that the ESD protection means has a first and a second discharge sections including first and second conductive fingers extending transversely with respect to the introduction direction of the complementary connector, and a third discharge section which is arranged between said pair of optical connection elements, and wherein said conductive fingers are assigned to a pair of electro-optical components (Figure 7).

Regarding claim 34, Branch teaches that the conductive fingers are offset transversely with respect to the introduction direction (Figure 7).

Regarding claim 35, Branch teaches that the first and second conductive fingers are formed asymmetrically (Figure 7).

Regarding claim 36, Branch teaches that the ESD protection means has discharge conductive fingers, each having a discharge section, wherein the first optical connection element of said pair is arranged between a first and a third of the discharge sections, wherein the second optical connection element of said pair is arranged between a second and the third of the discharge sections, and wherein the third discharge section is arranged between the first and second optical connection elements of said pair (Figure 7).

Regarding claim 39, Branch teaches that the ESD protection means has a dedicated connection element for connection to an electrical circuit board (Figure 7, column 8, lines 41-43).

Regarding claim 40, Branch teaches that the connector has an external electrical shielding (Figures 1, 5, column 7, line 7).

Regarding claim 42, Branch teaches that the shielding is designed in the form of an essentially U-shaped clamp which engages around the connector housing rearwards (Figures 1, 5, column 7, line 7).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Branch in view of US 4,102,579 to Stewart.

Regarding claim 33, Branch teaches the limitations of the base claim 32. Branch does not teach that the conductive fingers extend along a front side of the pair of electro-optical components. Stewart teaches conductive fingers extending along a front side of the pair of electro-optical components (column 8, lines 12-39). It would have been obvious to one of ordinary skill in the art at the time of the invention to extend the conductive fingers of Branch along a front side of the pair of electro-optical components, as taught by Stewart. The motivation would have been to decrease the size of the connector.

#### ***Allowable Subject Matter***

Claims 37, 38, 41, 43, and 44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 37, Branch, alone or in combination with the prior art, fails to disclose or render obvious that the receptacle has a cavity with an opening for introducing the complimentary connector on the front side, the cavity bounded by the rear wall at a rear side opposite to the front side, and the rear wall has at least three openings through which the respective discharge sections extend.

Regarding claims 38 and 43, Branch, alone or in combination with the prior art, fails to disclose or render obvious that the discharge sections are stamped and formed from sheet metal at the ends of integral fingers.

Regarding claim 41, Branch, alone or in combination with the prior art, fails to disclose or render obvious that the external electrical shielding penetrates the connector housing.

Regarding claim 44, Branch, alone or in combination with the prior art, fails to disclose or render obvious that the clamp has integrally formed press-on lugs for biasing the electro-optical components against the rear wall of the housing in the introduction direction.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to JERRY BLEVINS whose telephone number is (571)272-8581. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jerry M Blevins/  
Patent Examiner, Art Unit 2883

/Frank G Font/  
Supervisory Patent Examiner, Art Unit 2883

FGF/jmb  
03/10/2009